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12 Attorneys for Plaintiff and Counter-Defendant,
KNOLL, INC.

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 KNOLL, INC., a Delaware corporation,

17 Plaintiff,

18 vs.

19 DANRICK COMMERCE GROUP, LLC a/k/a
MODERNCOLLECTIONS.COM, DANNY

20 LOUIE, and DOES A-Z, Retailers for
Alphaville Design, Inc.,

21 Defendants.

23 AND RELATED COUNTERCLAIMS.

24 [Caption continued on following page.]

Related Case No. 08-CV-0778-MHP

**STIPULATION AND [PROPOSED]
ORDER STAYING ACTION**

Judge: Honorable Marilyn H. Patel

Complaint filed: February 1, 2008

Trial Date: None set

1 ALPHAVILLE DESIGN, INC., a Delaware
2 corporation,

3 Plaintiff,

4 vs.

5 KNOLL, INC., a Delaware corporation,

6 Defendant.

7 AND RELATED COUNTERCLAIMS.
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Related Case No. 07-CV-05569 MHP

**STIPULATION AND [PROPOSED]
ORDER STAYING ACTION**

Judge: Honorable Marilyn H. Patel

Complaint filed: November 1, 2007
Trial Date: None set

STIPULATION

WHEREAS, on November 1, 2007, ALPHAVILLE DESIGN, INC. ("Alphaville") filed an action against KNOLL, INC. ("Knoll") for declaratory relief of invalidity and non-infringement of certain trademarks owned by Knoll ("the Knoll Trademarks"), Northern District Related Case No. 07-CV-05569 MHP (hereinafter referred to as "the Alphaville Action").

WHEREAS, on February 1, 2008, Knoll filed suit for trademark infringement, unfair competition and related claims against Defendants DANRICK COMMERCE GROUP, LLC a/k/a MODERNCOLLECTIONS.COM ("Danrick ") and DANNY LOUIE ("Louie"), Northern District Related Case No. CV-08-0778 MHP, wherein Knoll's claims were based on the same trademarks at issue in the Alphaville Action (hereinafter referred to as "the Danrick Action").

WHEREAS, on February 28, 2008, the Court deemed the Alphaville Action and the Danrick Action to be related cases pursuant to Civil Local Rule 3-12.

WHEREAS, counsel for the parties in the Danrick Action agree that, because of the challenge to the validity of the Knoll Trademarks by the plaintiff in the Alphaville Action, which are also at issue in this Action, and the Court's suggestion at the case management conference that a motion for summary judgment be filed on the issue of validity in the Alphaville Action, that the Danrick Action be stayed and all dates and deadlines related thereto be tolled accordingly.

WHEREAS, since the outcome of issues concerning validity of the Knoll Trademarks in the Alphaville Action may affect the outcome of this Action, a stay is in the interests of judicial economy and will conserve the resources of the parties and the Court.

ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY STIPULATE THAT:

(1) All proceedings in the action entitled, *Knoll, Inc. v. Danrick Commerce Group, LLC a/k/a ModernCollections.com, Danny Louie et al.*, Northern District Related Case No. 08-CV-0778-MHP are hereby stayed until fourteen (14) days after final disposition of the action entitled *Alphaville Design, Inc. v. Knoll, Inc.*, Northern District Related Case No. 07-CV-05569 MHP, or settlement thereof, which ever occurs first.

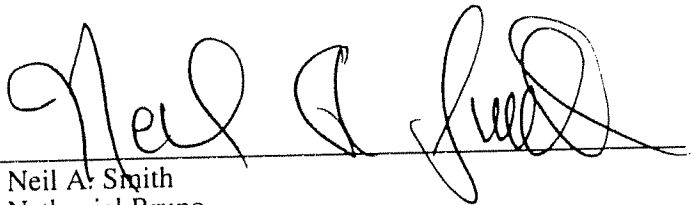
(2) All dates and deadlines set by the laws of the United States, the laws of the State of

1 California, the common law, the Federal Rules of Civil Procedure, the Local Rules and the General
2 Orders of the Northern District of California, and the Orders of this Court are hereby tolled for a
3 period equivalent to the length of the stay to the action entitled, *Knoll, Inc. v. Danrick Commerce*
4 *Group, LLC a/k/a ModernCollections.com, Danny Louie et al.*, Northern District Related Case No.
5 08-CV-0778-MHP.

6 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

7 Dated: April 17, 2008

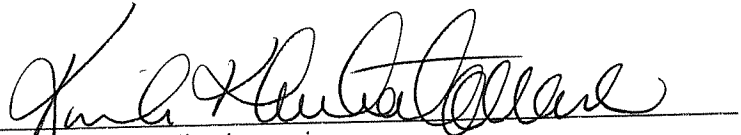
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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11 By: Neil A. Smith
12 Nathaniel Bruno
13 Attorneys for Defendants,
14 DANRICK COMMERCE GROUP, LLC. a/k/a
MODERNCOLLECTIONS.COM, and DANNY
LOUIE

15 Dated: April 17, 2008

BUCHANAN INGERSOLL & ROONEY LLP

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17 

18 By: Karineh Khachatourian
19 Bryan J. Sinclair
20 Jeffrey M. Ratinoff

21 Attorneys for Plaintiff,
22 KNOLL, INC.

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Attorneys for Defendant and Counterclaimant,
KNOLL, INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

Dated: _____, 2008

THE HONORABLE MARILYN H. PATEL
FEDERAL DISTRICT COURT JUDGE

#1038335-v3

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20 Defendants.

21
22 AND RELATED COUNTERCLAIMS.

Case No. 08-CV-0778-MHP

CERTIFICATE OF SERVICE

Judge: Honorable Marilyn H. Patel

Complaint filed: February 1, 2008
Trial date: None Set

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24 [Caption continued on following page.]
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1 ALPHAVILLE DESIGN, INC., a Delaware
2 corporation,

3 Plaintiff,

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7 AND RELATED COUNTERCLAIMS
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Related Case No. 07-CV-05569 MHP

**STIPULATION AND [PROPOSED]
ORDER STAYING ACTION**

Judge: Honorable Marilyn H. Patel

Complaint filed: February 1, 2008

Trial Date: None Set

CERTIFICATE OF SERVICE

I am over eighteen years of age, not a party in this action, and employed in the County of San Mateo, State of California, at Buchanan Ingersoll & Rooney LLP, 333 Twin Dolphin Drive, Suite 700, Redwood Shores, CA 94065-1418. On April 18, 2008, I served the following documents:

• **STIPULATION AND [PROPOSED] ORDER STAYING ACTION**

Manual Notice List and CERTIFICATE OF SERVICE VIA U.S. MAIL:

I am readily familiar with Buchanan Ingersoll & Rooney LLP's practice for collecting, processing and mailing correspondence and pleadings. Such correspondence and pleadings are deposited on the same day with the United States Postal Service in the ordinary course of business. I therefore had a copy of the document listed above placed in a separate envelope for each addressee named hereafter, addressed to each such addressee, respectively, as follows:

Attorneys for,
Alphaville Designs, Inc., David Lee
and Peggy Lee

Philip R. Green, Esq.
Law Offices of Green & Green
1000 Fourth Street, Suite 595
Courthouse Square
San Rafael, CA 94901

Manual Notice List and CERTIFICATE OF SERVICE VIA ELECTRONIC MAIL:

I served said documents to be transmitted by e-mail using Microsoft Outlook. The names and e-mail addresses of the persons served are set forth in below. A report was properly issued by Microsoft Outlook, and the e-mail was reported as being sent without error.

Attorneys for,
Alphaville Designs, Inc., David Lee
and Peggy Lee

Philip R. Green, Esq.
Law Offices of Green & Green
1000 Fourth Street, Suite 595
Courthouse Square
San Rafael, CA 94901
Email: phil@greenandgreen.com

1 I am aware that on motion of the party served, service is presumed invalid if postal
2 cancellation date or postage meter date is more than one day after the date of deposit for mailing an
3 affidavit.

4 I declare that I am employed in the office of a member of the Bar of this Court at whose
5 direction the service was made and that this declaration was executed on April 18, 2008, at
6 Redwood Shores, California. I declare under penalty of perjury under the laws of the State of
7 California, and the United States of America, that the foregoing is true and correct.

8
9 Executed on April 18, 2008



Alice P. Kava